

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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N.N., a minor, by S.S., the parent and next  
friend of N.N., individually and on behalf  
of others similarly situated,

ORDER

Plaintiff,

08-cv-581-bbc

v.

MADISON METROPOLITAN SCHOOL DISTRICT,

Defendant.  
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The parties finished briefing defendant Madison Metropolitan School District's motion for summary judgment on October 29, 2009. With its reply brief, defendant filed a motion to supplement its proposed findings of fact, along with its supplement of nine additional facts. In its motion to supplement, defendant says that plaintiff raised issues in her response brief and proposed findings of fact that it did not anticipate. It would be unfair to allow defendant to add new facts to the record without giving plaintiff an opportunity to respond. Accordingly, IT IS ORDERED that defendant's motion to supplement its proposed findings of fact, dkt. #145, is GRANTED. Plaintiff may have until November 13, 2009, to

file a response to defendant's supplemental facts. There shall be no reply.

Entered this 30<sup>th</sup> day of October, 2009.

BY THE COURT:

/s/

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BARBARA B. CRABB  
District Judge